

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 3:15-00068

PHILLIP M. HENDERSON

ORDER

Pending is Defendant's Motion to Continue Jury Trial and all Deadlines (ECF No. 21). Defendant's counsel requests additional time to locate and retain an expert witness. The requested delay is not attributable to lack of diligent preparation, to failure to obtain evidence or witnesses, or to congestion of the Court's calendar.

Believing that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendant in a speedy trial, the Court **GRANTS** a brief continuance of the trial date. Trial will begin on **October 27, 2015**, at **8:30 a.m.** in Huntington. Proposed voir dire, jury instructions, and witness lists are now due on **October 20, 2015**. All pretrial motions will now be due no later than **September 28, 2015**. The pretrial motions hearing will now be held on **October 13, 2015**, at **2:00 p. m.** in Huntington. The Court **FINDS** that the time between August 4, 2015, and October 27, 2015, is excludable from the computation of time within which trial must commence, pursuant to 18 U.S.C. § 3161(h)(7)(A).

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel and the defendant, the United States Attorney's Office, the United States Probation Office, and the United States Marshals Service.

ENTER: July 6, 2015



ROBERT C. CHAMBERS, CHIEF JUDGE